

**UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: THOMAS JOSEPH MARTIN  
SUSAN MARTIN

Debtor(s)

CHAPTER 13

CHARLES J. DEHART, III  
CHAPTER 13 TRUSTEE  
Movant

vs.

THOMAS JOSEPH MARTIN  
SUSAN MARTIN

CASE NO: 5-19-04283-RNO

Respondent(s)

**TRUSTEE'S MOTION TO DISMISS CASE  
FOR FAILURE TO OBTAIN CREDIT COUNSELING**

AND NOW, on October 21, 2019, Charles DeHart, III, Standing Chapter 13 Trustee for the Middle District of Pennsylvania, moves this Honorable Court for dismissal of the above-captioned Chapter 13 bankruptcy case for the following reason(s):

- 1) A Petition under Chapter 13 was filed on October 3, 2019.
- 2) The Debtor(s) did not comply with the credit counseling requirements of 11 U.S.C. Sections 109(h) and 521(b) and therefore do not qualify as a debtor under the Bankruptcy Code.

WHEREFORE, your Trustee prays that this Honorable Court enter an Order dismissing the above-captioned case.

Respectfully Submitted,

s/ Charles J. DeHart, III  
Charles J. DeHart, III, Trustee  
8125 Adams Drive, Suite A  
Hummelstown, PA 17036  
Phone: (717) 566-6097  
Fax: (717) 566-8313  
Email: [dehartstaff@pamd13trustee.com](mailto:dehartstaff@pamd13trustee.com)

**UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: THOMAS JOSEPH MARTIN  
SUSAN MARTIN

CHAPTER 13

CASE NO: 5-19-04283-RNO

Debtor(s)

**NOTICE**

NOTICE IS HEREBY GIVEN that Charles J. DeHart, III, Standing Chapter 13 Trustee for the Middle District of Pennsylvania has filed a Motion to Dismiss. The Debtor(s) did not comply with the credit counseling requirements of 11U.S.C. Sections 109(h) and 521(b) and therefore do not qualify as a debtor under the Bankruptcy Code.

If you wish to contest this matter, you must file an objection with the Bankruptcy Clerk on or before **November 11, 2019** and serve a copy on the movant and counsel. Any filing must conform to the Rules of Bankruptcy Procedure.

If no objections are filed, an order may be entered dismissing the case.

Charles J. DeHart, III, Trustee  
8125 Adams Drive, Suite A  
Hummelstown, PA 17036  
Phone: (717) 566-6097

Dated: October 21, 2019

**UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: THOMAS JOSEPH MARTIN  
SUSAN MARTIN

Debtor(s)

CHAPTER 13

CASE NO: 5-19-04283-RNO

**CERTIFICATE OF SERVICE**

I certify that I am more than 18 years of age and that on October 21, 2019, I served a copy of this Motion to Dismiss, Notice and Proposed Order on the following parties by 1<sup>st</sup> Class mail, unless served electronically.

PRO SE

Served electronically

,

United States Trustee  
228 Walnut Street  
Suite 1190  
Harrisburg, PA 17101

Served electronically

THOMAS JOSEPH MARTIN  
SUSAN MARTIN  
5764 MAIN  
HUNLOCK CREEK, PA 18621

Served by 1<sup>ST</sup> class mail

I certify under penalty of perjury that the foregoing is true and correct.

Date: October 21, 2019

Vickie Williams  
for Charles J. DeHart, III, Trustee  
Suite A, 8125 Adams Dr.  
Hummelstown, PA 17036  
Phone: (717) 566-6097  
eMail: [dehartstaff@pamd13trustee.com](mailto:dehartstaff@pamd13trustee.com)

**UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: THOMAS JOSEPH MARTIN  
SUSAN MARTIN

Debtor(s)

CHAPTER 13

CHARLES J. DEHART, III  
CHAPTER 13 TRUSTEE  
Movant

CASE NO: 5-19-04283-RNO

vs.

THOMAS JOSEPH MARTIN  
SUSAN MARTIN

MOTION TO DISMISS

Respondent(s)

**ORDER DISMISSING CASE**

Upon consideration of the Trustee's Motion to Dismiss, it is hereby ORDERED that the above-captioned bankruptcy be and hereby is DISMISSED.